

# **ATTACHMENT 3**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

CISCO SYSTEMS, INC., )  
)  
Plaintiff, )  
)  
vs. ) Case No. 5:14-cv-05344-BLF (PSG)  
)  
ARISTA NETWORKS, INC., )  
)  
Defendant. )  
)  
\_\_\_\_\_ )

VIDEOTAPED DEPOSITION OF DREW PLETCHER

HIGHLY CONFIDENTIAL - OUTSIDE ATTORNEYS' EYES ONLY

Date and Time: Thursday, May 26, 2016  
9:34 a.m.

Location: Wilson Sonsini Goodrich & Rosati  
650 Page Mill Road  
Palo Alto, CA 94304

Reported by: Cammi R. Bowen, CSR-13492  
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1	APPEARANCES:	1	EXHIBITS - CONTINUED
2	For the Plaintiff: QUINN EMANUEL URQUHART & SULLIVAN LLP	2	Exhibit Document Bates-numbered
3	50 California Street	1211	CSI-ANI-00501435 202
4	22nd Floor	3	Exhibit
5	San Francisco, CA 94111	4	1212 Withdrawn due to privilege 216
6	Tel: (415) 875-6328	5	Exhibit
7	E-mail: Carlanderson@quinnemanuel.com	1213	Withdrawn due to privilege 217
8	BY: CARL G. ANDERSON, ESQ	6	Exhibit Document Bates-stamped
9		1214	CSI-ANI-00094857 221
10		8	Exhibit Document Bates-stamped
11	For the Defendants: KEKER & VAN NEST LLP	1215	CSI-ANI-00103051 230
12	633 Battery Street	9	Exhibit Document Bates-stamped
13	San Francisco, CA 94111-1809	10	1216 CSI-ANI-00447896 242
14	Tel: (415) 676-2248	11	Exhibit Document Bates-stamped
15	E-mail: Emccloskey@kvn.com	1217	CSI-ANI-00452262 248
16	BY: ELIZABETH K MCCLOSKEY, ESQ	12	Exhibit Document Bates-stamped
17		1218	CSI-CLI-01793755 251
18	WILSON SONSINI GOODRICH & ROSATI	14	Exhibit Document Bates-stamped
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20	Spear Tower, Suite 3300	15	Exhibit Document Bates-stamped
21	San Francisco, CA 94105-1126	1220	CSI-ANI-00067670 261
22	Tel: (415) 947-2077	17	Exhibit Document Bates-stamped
23	BY: BEN LABOW, ESQ	1221	CSI-ANI-00068924 265
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1 THE VIDEOGRAPHER: Good morning We are on 09:13:56	1 testifying under penalty of perjury? 09:35:37
2 the video record The time is 9:34 a m Today's 09:34:13	2 A. Yes, I do. 09:35:39
3 date is May 26th, 2016 My name is Andrea Baker, 09:34:17	3 Q. Is there any reason you can't provide 09:35:40
4 here with our court reporter, Cammi Bowen We are 09:34:21	4 truthful testimony today? 09:35:43
5 here from Veritext Legal Solutions The deposition 09:34:25	5 A. No, there's not. 09:35:44
6 is being held at 650 Page Mill Road in Palo Alto, 09:34:28	6 Q. Have you ever testified in a deposition 09:35:45
7 California 09:34:32	7 before? 09:35:48
8 The case caption is Cisco Systems, Inc vs 09:34:32	8 A. Yes, I have. 09:35:49
9 Arista Networks, Inc Case number 09:34:38	9 Q. So you -- I assume you know the ground 09:35:50
10 5:14-cv-05344-BLF 09:34:43	10 rules, but I'll just cover a couple of them quickly. 09:35:52
11 Will all counsel please state their name 09:34:44	11 If you don't understand any question that I 09:35:55
12 for the record and who they represent 09:34:47	12 ask, let me know and I'll clarify it for you. 09:35:58
13 MS MCCLOSKEY: Elizabeth McCloskey of 09:34:49	13 And -- and this is a good time to tell you 09:36:00
14 Keker & Van Nest on behalf of Arista Networks 09:34:53	14 that it's important that you give audible answers so 09:36:03
15 MR LABOW: Ben Labow from Wilson Sonsini 09:34:55	15 that the court reporter can write down everything 09:36:06
16 on behalf of Arista 09:34:58	16 that you say. 09:36:08
17 MR ANDERSON: Carl Anderson for Cisco 09:34:59	17 A. Understand. 09:36:10
18 Systems and the witness 09:35:03	18 Q. And if you answer a question, I will assume 09:36:10
19 THE VIDEOGRAPHER: Will the court reporter 09:35:04	19 that you understand my question. 09:36:13
20 please swear in the witness 09:35:05	20 Did you do anything to prepare for your 09:36:15
21 THE COURT REPORTER: Raise your right hand, 09:35:05	21 deposition today? 09:36:18
22 please 09:35:05	22 A. The only preparation was to review my 09:36:21
23 Do you swear to tell the truth, the whole 09:35:05	23 previous deposition testimony. 09:36:24
24 truth, and nothing but the truth? 09:35:05	24 Q. Did you meet with anyone to prepare for 09:36:28
25 WITNESS: I do 09:35:13	25 your deposition today? 09:36:32
Page 6	Page 8
1 THE VIDEOGRAPHER: Please begin. 09:35:13	1 A. Met with Carl Anderson. 09:36:34
2 DREW PLETCHER, 09:35:11	2 Q. When did you and Mr. Anderson meet? 09:36:40
3 being first duly affirmed by the Certified Shorthand 09:35:11	3 A. Yesterday. 09:36:43
4 Reporter to tell the truth, the whole truth, and 09:35:11	4 Q. How long did you meet for? 09:36:43
5 nothing but the truth, testified as follows: 09:35:11	5 A. It was about four hours, five hours, 09:36:48
6 EXAMINATION 09:35:11	6 roughly. 09:36:51
7 BY MS. MCCLOSKEY: 09:35:11	7 Q. Did you -- did you meet with Mr. Anderson 09:36:52
8 Q. Good morning, Mr. Pletcher. 09:35:15	8 in person? 09:36:55
9 A. Good morning. 09:35:16	9 A. Yes. 09:36:55
10 Q. We met briefly off the record, but I'm 09:35:17	10 Q. Okay. Did you discuss your deposition with 09:36:55
11 Lizzy McCloskey, and I represent defendant Arista 09:35:18	11 anyone, other than Mr. Anderson? 09:36:58
12 Networks in this action, and I'll be asking you some 09:35:22	12 A. No, I have not. 09:37:00
13 questions today. 09:35:25	13 Q. Did you discuss your deposition with anyone 09:37:01
14 A. Okay. 09:35:26	14 else from Cisco? 09:37:05
15 Q. Can you please state your full name for the 09:35:26	15 A. No, I have not. 09:37:05
16 record. 09:35:28	16 Q. Did you review any documents yesterday with 09:37:06
17 A. Yes. My full name is Andrew Albert 09:35:28	17 Mr. Anderson? 09:37:07
18 Pletcher. 09:35:30	18 MR. ANDERSON: Going to caution the witness 09:37:07
19 Q. Do you understand that you're under oath 09:35:31	19 not to reveal the contents of any privileged 09:37:09
20 today? 09:35:32	20 attorney-client communications. If you can answer 09:37:12
21 A. I do. 09:35:32	21 the question without revealing privileged 09:37:14
22 Q. Do you understand that you're required to 09:35:32	22 communications, you can do so. 09:37:17
23 answer truthfully? 09:35:34	23 THE WITNESS: We reviewed the -- my 09:37:19
24 A. Yes, I do. 09:35:35	24 testimony from the previous deposition for the ITC 09:37:23
25 Q. And do you understand that you are 09:35:35	25 Section 2 case. 09:37:29
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[illegible]

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[illegible][illegible][illegible]

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<p>1 [REDACTED] [REDACTED]</p> <p>2 [REDACTED]</p> <p>3 [REDACTED]</p> <p>4 [REDACTED]</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED]</p> <p>23 [REDACTED]</p> <p>24 [REDACTED]</p> <p>25 [REDACTED]</p> <p>--oOo--</p> <p>Page 326</p>	
<p>1 CERTIFICATE OF REPORTER</p> <p>2</p> <p>3 I, CAMMI R. BOWEN, a Certified Shorthand</p> <p>4 Reporter, hereby certify that the witness in the</p> <p>5 foregoing deposition was by me duly sworn to tell the</p> <p>6 truth, the whole truth, and nothing but the truth in the</p> <p>7 within-entitled cause;</p> <p>8 That said deposition was taken down in</p> <p>9 shorthand by me, a disinterested person, at the time and</p> <p>10 place therein stated, and that the testimony of the said</p> <p>11 witness was thereafter reduced to typewriting, by</p> <p>12 computer, under my direction and supervision;</p> <p>13 Further, that if the foregoing pertains to the</p> <p>14 original transcript of a deposition in a Federal Case,</p> <p>15 before completion of the proceedings, review of the</p> <p>16 transcript [ ] was [X] was not requested.</p> <p>17 I further certify that I am not of counsel or</p> <p>18 attorney for either or any of the parties to the said</p> <p>19 deposition, nor in any way interested in the events of</p> <p>20 this cause, and that I am not related to any of the</p> <p>21 parties hereto.</p> <p>22 DATED: 6/6/2016</p> <p>23 &lt;%signature%&gt;</p> <p>24 CAMMI R. BOWEN</p> <p>25 CSR #13492</p> <p>Page 327</p>	